

1 DAVID BURCHARD,  
2 CHAPTER 13 TRUSTEE  
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6 **UNITED STATES BANKRUPTCY COURT**  
7  
8 **NORTHERN DISTRICT OF CALIFORNIA**  
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10 In re } Case No.: 24-10282 DM  
11 MARIA ELENA CORTES MALDONADO } **TRUSTEE'S OBJECTION TO DEBTOR'S**  
12 Debtor. } **MOTION TO MODIFY CHAPTER 13**  
13 } **PLAN**  
14 \_\_\_\_\_ }

15 **TO THE UNITED STATES BANKRUPTCY JUDGE, DEBTOR(S)' COUNSEL,**

16 **DEBTOR(S), AND OTHER PARTIES IN INTEREST:**

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18 David Burchard, Chapter 13 Trustee ("Trustee"), for the Santa Rosa and San Francisco  
19 Divisions of the United States Bankruptcy Court for the Northern District of California, hereby  
20 submits the following Objection to the Motion to Modify Chapter 13 Plan proposed by  
21 Debtor(s), filed on April 24, 2025. This objection is based upon all pleadings, papers and  
22 documents filed herein, together with those matters of which judicial notice has been requested,  
23 and any oral argument, which may be presented.

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1        The Trustee is unable to verify the basis for the motion to modify and Debtor's  
2        substantial change in income and/or expenses without Debtor providing the following  
3        information:

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5         Updated Schedules I and J, utilizing the schedules effective December 2015.  
6         A signed copy of the debtor's filed 20\_\_ Federal Income Tax Return  
7         Verification of income to substantiate change in plan payments in the form of  
8        payment advices for the last 60 days. If the debtor does not receive payment  
9        advices, the Trustee requests copies of bank statements for the last 2 months from  
10        all bank accounts in which debtor is a signatory.

11        X Other:

12            (1) The modified plan does not include a motion to modify, notice of motion, or  
13            certificate of service.  
14            (2) The payments proposed in Section 2.1 exceed the allowable term of 60  
15            months.  
16            (3) The plan payments proposed in months 5, 6, 27, 37, and 49 are not sufficient  
17            to pay the fixed monthly payments provided for in the plan.  
18            (4) A payment of \$1,000 is needed for debtor to be current through April 2025  
19            under the proposed modified plan.  
20            (5) Trustee requests a filed declaration from the debtor in support of the proposed  
21            motion to modify plan.

22        Therefore, the Trustee requests that this objection be sustained, Debtor's Application to  
23        Modify Chapter 13 Plan be denied, and other relief this Court deems proper.

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25        Dated: April 28, 2025

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/s/ David Burchard  
DAVID BURCHARD  
CHAPTER 13 TRUSTEE

**CERTIFICATE OF SERVICE**

I am over the age of 18 years and not a party to this action. I am employed by the Trustee whose business address is 1111 Triton Drive, Suite #100, Foster City, CA. On the date set forth below, I served a true and correct copy of **TRUSTEE'S OBJECTION TO DEBTOR'S MOTION TO MODIFY CHAPTER 13 PLAN** and this **Certificate of Service**, on the persons listed below by following our ordinary business practice for service, which is either deposited in the ordinary course of business with the U.S. Postal Service by first class mail or served by electronic transmission from the Court, if applicable. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

MARIA ELENA CORTES MALDONADO  
14620 PEARL AVE  
CLEARLAKE, CA 95422

The following recipients have been served via Court's Notice of Electronic Filing:

EVAN LIVINGSTONE  
evanmlivingstone@gmail.com

Dated: April 28, 2025

## BRISA RAMIREZ

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